<div align="center">REMARKS</div>

Applicants respectfully submit, contemporaneously herewith, a Request for Continued Examination pursuant to 37 C.F.R. § 1.114.

Appreciation is extended to the Examiner for the courtesy of conducting a brief telephone conference and for reviewing the proposed amended claims. In speaking with the Examiner on October 7, 2008, it is the understanding of the undersigned that Claims 12, 13 and 14 as presently amended patentably define over the prior art that is currently of record. However, the Examiner indicated that he would have to conduct a further search in response to the submission of the amended claims.

For the reasons set forth below, it is requested the Examiner reconsider and withdraw the rejections of the amended claims.

All of the claims call for _temporarily_ storing in the SMSC in the sending network the message and the relevant HLR address until delivery of the message is successfully accomplished. Once this has occurred, then the relevant HLR address and message are erased from the SMSC.

As argued in previous responses, Henry-Labordere does not teach this important limitation of the claim. The Examiner refers to a very large portion of the Henry-Labordere reference to meet this limitation, but the disclosure of the limitation is not present. The Examiner also refers to paragraph [0005] of Henry-Labordere relating to utilizing classical retry schemes in the case of delivery failure. Such a classical retry scheme is described in the background section of the present application in paragraph [0003]. In such a classic retry scheme, the SMSC must locate the intended HLR again for each subsequent retry, which leads to the inefficiency described in paragraph [0003] of the application. In such a prior art scheme, the delivery parameters are not stored after a failed delivery but are deleted.

The secondary reference to Frangione et al is also silent with regard to this limitation. Referring to paragraph [0118] of Frangione, when the delivery of the short message is unsuccessful, the SMSC may store the short message and retry sending the message. However, there is no disclosure that the claimed HLR address having the delivery parameters or data of the present application are stored together with the short message. Frangione et al describes a

conventional mobile network utilizing classical procedures for SMS delivery, which does not include storing the relevant HLR address for use in subsequent attempts at delivery.

The claims call for the address of the relevant HLR having the delivery data to be correlated with the short message to be <u>temporarily</u> stored in the SMSC. This is clearly not the case with Henry-Labordere wherein the HLR addresses are stored permanently and built up over time to create a large cache memory. Clearly a large cache memory built up over time is quite different from the temporary storage of the short message and the particular HLR address having the delivery parameters correlated with the aforementioned short message. Logic would dictate to one skilled in the art that if a message is resent, the large cache memory would be interrogated because that is exactly where the delivery data for that subscriber would be held. This is quite different from retrieving the temporarily stored short message and the temporarily stored HLR address correlated with said short message and then addressing such HLR to obtain the delivery data. Henry-Labordere teaches away from holding a <u>correlated</u> short message and relevant HLR address because it provides the large cache memory populated with a plurality of HLR addresses which is then interrogated when a further delivery attempt is made using classic retry schemes. The Examiner is again referred to paragraph [0003] of the present application which describes the retry scheme in a mobile number portability MNP environment.

As shown in Fig. 1 of the present application, once the short message and the relevant HLR address are stored in the SMSC, the relevant HLR is already known and is accessed directly without having to employ an interrogation scheme as in Henry-Labordere. Steps 3, 4 and 5 that need to be performed during the first attempt at delivery of the short message are bypassed and HLR 18 is accessed directly to obtain the delivery parameters and data.

Even though four references are combined, they still do not meet the limitations of the claims.

In view of the above, it is requested that the Examiner reconsider and withdraw the rejections and pass the application to issue.

Respectfully submitted,

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October 16, 2008
Date